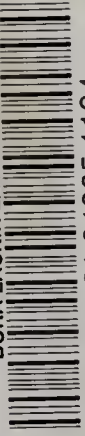


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PERSPECTIVES ON LAW RACE AND CULTURAL DIFFERENCE

(Bridge Week # 4, February 1-5, 1998⁹)

Faculty of Law
University of Toronto

These materials are not to be considered as published. They are solely for the educational use of students at the Faculty of Law, University of Toronto

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RACE AND CULTURAL DIFFERENCE BRIDGE SCHEDULE

All lectures will be given in BLH

Monday February 1

For Monday's lectures read pages 1 to 61 of the materials.

2:30-4:00 Richard Devlin and John Borrows
Racism and Racialization in Judicial Decision-Making

Tuesday February 2

For Tuesdays lectures read pages 62 to 132 of the materials.

9:00-10:30 Jennifer Nedelsky - Judgment, Race and Culture

11:00-12:30 Toni Williams - Systemic Racism in the Courts

2:00-3:00 John Borrows - Racism and Constitutional Law

Wednesday February 3

For Wednesday's lectures read pages 133 to 193 of the materials.

9:00-10:30 Jim Philips - Racism and Property Law

11:00-12:30 Denise Reaume - Racism and Tort Law

2:00-3:00 Kevin Davis - Racism and Contract Law

Thursday February 4

*For Thursday's lectures read pages 194 to 230 and 264 to 278 of the materials.
(skim 230 -263)*

9:00-10:30 Michelle Williams & Julian R  y - Racism and Criminal Law

11:00-12:30 Connie Backhouse - Historic Construction of Racism and Cultural
Difference

2:00-3:00 Kerry Rittich - Whiteness, Race and the Law

**PERSPECTIVES ON LAW
RACE AND CULTURAL DIFFERENCE**

1998-1999

Table of Contents

I. INTRODUCTORY READINGS

Francis Henry, Carol Tator, Winston Mattis, Tim Rees, eds., "Terminology and the Forms of Racism" in *The Colour of Democracy: Racism in Canadian Society* (Toronto: Harcourt, Brace and CO., 1995) 3-4, 44-49.----- p. 1.

Peter Li and B. Singh Bolaria, "Race and Racism" in *Racial Oppression in Canada* (Toronto: Garamond Press, 1988) 13-25.----- p. 7

II. RACE & CULTURAL DIFFERENCE IN JUDICIAL DECISION-MAKING

Richard Devlin, "We Can't Go On Together with Suspicious Minds: Judicial Bias and Racialized Perspective in R. v. R.D.S. (1995) 18 *Dalhousie L. J.* 408--- p. 14

R. v. R.D.S. [1997] S.C.R.----- p. 34

Jennifer Nedelsky, "Embodied Diversity and the Challenge to Law" (1997) 42 *McGill Law Journal* 91.----- p. 62

Jennifer Nedelsky, "Judgement, Diversity and Relational Autonomy"----- p. 76

Toni Williams, *Report of the Commission on Systemic Racism in the Ontario Criminal Justice System* (Toronto: Queen's Printer, 1995) 40-64, 221-239, 18-35.----- p. 84

Kent Roach, "Systemic Racism and Criminal Justice Policy" (1996) 15 *Windsor Yearbook of Access to Justice* 236----- p. 110

III. RACISM AND CONSTITUTIONAL LAW

R. v. Vanderpeet (1996) 4 C.N.L.R. 177 (S.C.C.).----- p. 116

IV. RACISM AND PROPERTY LAW

Re Canada Trust Co. and Ontario Human Rights Commission; Royal Ontario Museum et. al. Interveners (1990), 69 D.L.R. (4th) 321 (Ont. C.A.).----- p. 133

V. RACISM AND TORT LAW

James W. St. G. Walker, *Race Rights and the Law in the Supreme Court of Canada* (Toronto: Osgoode Society, 1997), Chp. 3 “Christie v. York Co. pp, 122-168 as edited----- p. 145

Christie v. York [1940] S.C.R. 139.----- p. 160

James W. St. G. Walker, *Race Rights and the Law in the Supreme Court of Canada* (Toronto: Osgoode Society, 1997), Chp. 3 “Christie v. York Co. pp, 173-181 as edited----- p. 166

Bhoduaria v. Board of Governors of Seneca College (C.A.)----- p. 170

* refer to S.C.C. judgement in E.J. Weinrib, *Tort Law: Cases and Materials* (Toronto: Emond Montgomery) at 316-322.

VI. RACISM AND CONTRACT LAW

Harry v. Kreutziger (1979) 95 D.L.R. (3d).----- p. 175

Patricia Williams, *The Alchemy of Race and Rights* (Cambridge: Harvard University Press, 1991).----- p. 181

Christie v. York [1940] S.C.R. 139.----- (see)-- p. 160

Ontario Human Rights Code, R.S.O., Chap. H. 19.----- p. 182

Ian Ayers, “Further Evidence of Discrimination in New Car Negotiations and Estimates of its Cause” (1995) *Michigan Law Review* 109.----- p. 183

VII. RACISM AND CRIMINAL LAW

R. v. Williams [1998] 2 S.C.R.----- p. 194

Erika L. Johnson, ““A Menace to Society”: The Use of Criminal Profiles and its Effects on Black Males” [1995] 38 *Howard Law Journal* 629.----- p. 201

Scot Wortley and Gail Kellough, “The Probable Offender: Police and Crown Discretion and the Over-Representation of Black People in the Ontario Criminal Justice System”.----- p. 219

R. v. Lawrence Augustus Brown (Ont. Gen. Div.).----- p. 230

VIII. HISTORIC CONSTRUCTION OF RACE & CULTURAL DIFFERENCE

Tino Loo, "Dan Cramner's Potlach: Law As Coercion, Symbol and Rhetoric in British Columbia, 1884-1951 (1992) *Canadian Historical Review* 126-165.----- p. 243

IX. WHITENESS, RACIALIZATION AND LAW

Peggy McIntosh, "White Privilege: A Personal Account of Coming to See Correspondance Through Work in Women's Studies" in Richard Delgado and Jean Stefancic, eds., *Critical White Studies: Looking Behind the Mirror* (Philadephia: Temple University Press, 1997) 291.----- p. 264

Cheryl Harris, "Whiteness as Property" in K. Crenshaw et.al., *Critical Race Theory: The Key Writings that Formed the Movement* (New York: New Press, 1995) at xiii.----- p. 271

K. Crenshaw et.al. "Introduction" in *Critical Race Theory: The Key Writings that Formed the Movement* (New York: New Press, 1995) at xiii.----- p. 275

